



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 10/26/99

AGENDA ITEM 7

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Vacation of Aircraft Taxiway Easements Located within Parcel 2 of Tract 2968

RECOMMENDATION:

It is recommended that the City Council adopt a resolution approving vacation of the Aircraft Taxiway Easements described herein.

BACKGROUND:

The easements are located within property formerly owned by the Airport. Cabot, Cabot & Forbes Hayward Properties, Inc. acquired the property, in the late 1960's. The land use is industrial development. In order to secure what was, at that time, anticipated to be aviation-related uses within the development, the City retained taxiway easements granting aviation users in the industrial park aircraft access to the Airport (Exhibit A). This easement was dedicated to the City of Hayward in 1967 and 1968 with the approval of both tracts, specifically for "aircraft taxiway" purposes. Although the intent of the easement was to encourage the development of aircraft-related uses, business and corporate aircraft access, and private airplane operations, none of these applications have occurred over the past 30 years. Due to repeated requests from property owners, in June of 1988, the width of the taxiway easement was reduced from 150 feet to 90 feet. This allowed owners of abutting parcels better utilization of the non-paved portion of the easement.

Staff subsequently recommended to Council that these easements be completely vacated. The taxiway had deteriorated to the point that it was no longer suitable for aircraft use and it was determined that they were of no benefit to the Airport. Additionally, adjacent property owners desired the vacation of the easements so that the land could be utilized for commercial purposes. In July 1997, City Council adopted a resolution vacating some of the aircraft taxiway easements located within Tracts 2968 and 3046 .

DISCUSSION:

The action by City Council in 1997 did not vacate all taxiway easements within the Cabot, Cabot & Forbes industrial area. Since property owners had been utilizing the taxiway for vehicle access to the rear of their properties for many years, alternative access needed to be provided for some

properties. It was agreed to retain some of the taxiway easements for this purpose until alternatives could be agreed upon. Staff has worked as a facilitator between the various businesses for the past two years in an effort to assist affected property owners and help resolve access uncertainty. All business owners/operators are now in agreement that previously existing access questions have been satisfactorily resolved.

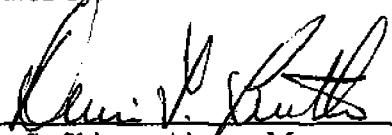
Consequently, these property owners are now requesting the City to vacate the remaining taxiway easements so that more productive utilization of their property can begin. Staff is not aware of any reason why these requests cannot be granted.

It is proposed to vacate the remaining portions of the easement adjacent to the properties identified by Airport staff (for convenience) as Lots 2, 14, 15, 16 and 17. These Lots are included entirely within Parcel 2. The Lots are shown on the attached map (Exhibit B). Parcel 3, as shown on Exhibit B, would be retained to provide emergency access to the westerly side of the Airport from Corsair Boulevard.

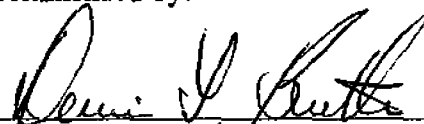
CONCLUSION:

Given the previous Council action vacating portions of the easement in 1997, the remaining taxiway easements are no longer usable for aircraft. Previous access issues to adjacent properties have now been resolved. Consequently, staff recommends approval of the vacation of the remaining industrial aircraft taxiway easements in Parcel 2.

Prepared by:

FOR 
Brent S. Shiner, Airport Manager

Recommended by:


Dennis L. Butler, Director of Public Works

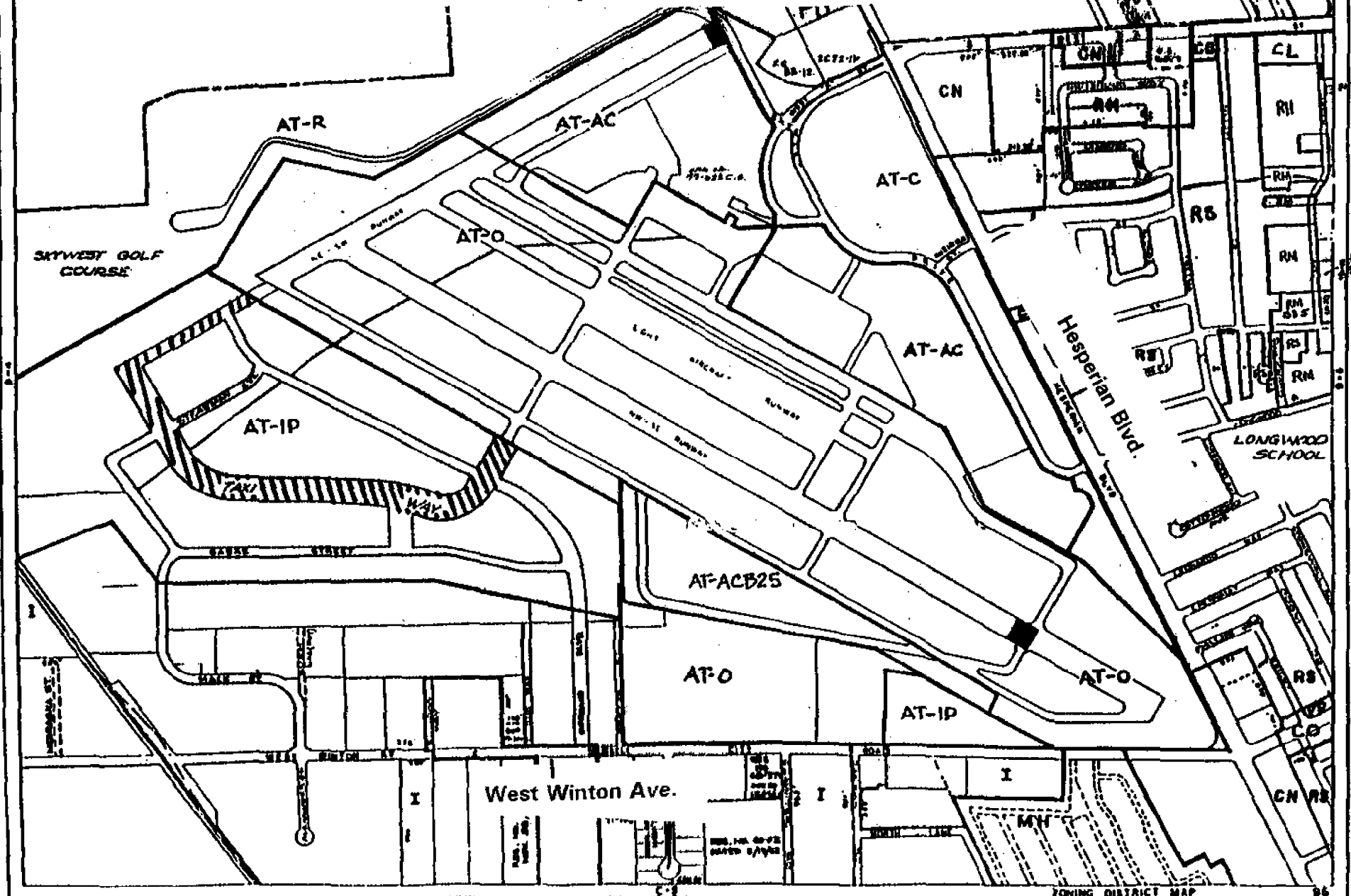
Approved by:

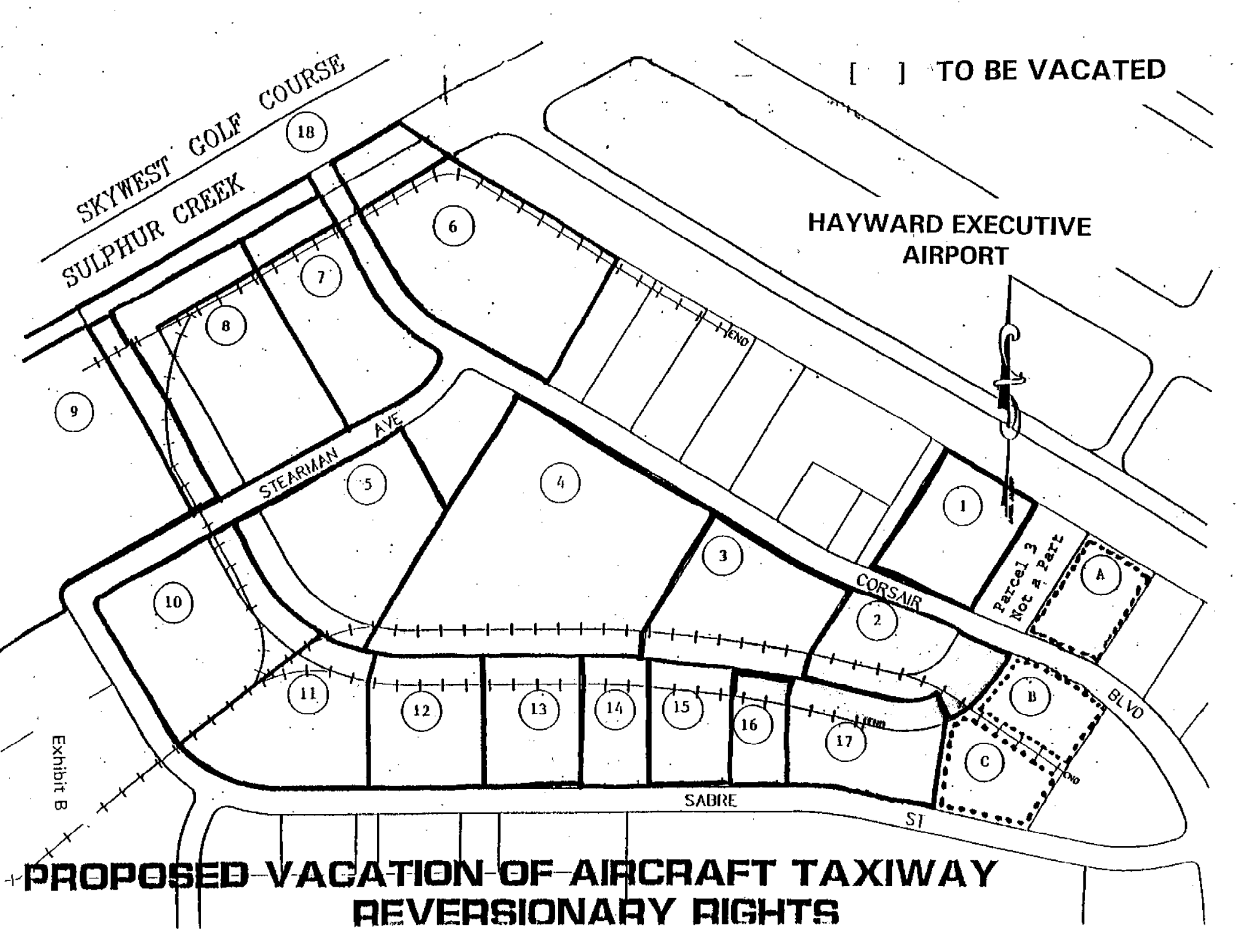

Jesús Armas, City Manager

Attachments:

- Exhibit A: Area Map
- Exhibit B: Lots for Vacation of Easements

Total Airport Land = 521 Acres





**PROPOSED VACATION OF AIRCRAFT TAXIWAY
REVERSIONARY RIGHTS**

DRAFT

AGD
9/21/99

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION VACATING THE AIRPORT TAXIWAY
EASEMENTS LOCATED WITHIN PARCEL 2 OF TRACT
2968**

WHEREAS, the Director of Public Works has advised that the Aircraft Taxiway Easements located on property acquired by Cabot, Cabot & Forbes in the late 1960's were dedicated to the City in 1967 and 1968 with the approval of Tract 2968, specifically to encourage development of aircraft related uses, business and corporate aircraft access, and private airplane operations; and

WHEREAS, the applications intended for the subject property have never occurred over the last 30 years and due to repeated requests from property owners, the width of the taxiway easement was reduced from 150 feet to 90 feet in June of 1988 to allow owners of abutting parcels better utilization of the easement; and

WHEREAS, at the request of property owners, City Council adopted a resolution in July 1997, vacating some of the taxiway easements located with Tracts 2968 and 3046; and

WHEREAS, pursuant to the Subdivision Map Act, vacating an offer of dedication requires formal procedures called for by the Streets and Highways Code; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that pursuant to Part 3 (commencing with Section 8300) of Division 9 of the California Streets and Highways Code it is hereby ordered that the remaining industrial aircraft taxiway easements in parcel 2 described on the attached Exhibit "A" are hereby vacated, and the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward